

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of WANDA NORTH, Minor.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

VERN W. NORTH,

Respondent-Appellant,

and

TABATHA MURRAY,

Respondent.

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UNPUBLISHED

May 24, 2005

No. 259119

Kent Circuit Court

Family Division

LC No. 04-053208-NA

Before: Murphy, P.J., and White and Smolenski, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating his parental rights pursuant to MCL 712A.19b(3)(g), (j), and (l). We affirm.

Termination of parental rights is mandatory if the trial court finds that the petitioner established a statutory ground for termination, unless the court finds that termination is clearly not in the child's best interest. *In re Trejo*, 462 Mich 341, 344; 612 NW2d 407 (2000). This Court reviews decisions terminating parental rights for clear error. Clear error has been defined as a decision that strikes this Court as more than just maybe or probably wrong. *Id.* at 356-357.

The trial court did not clearly err in finding that respondent-appellant did not provide proper care and custody for his daughter and that there was no reasonable expectation that he would be able to do so within a reasonable time. Although respondent-appellant made some efforts to comply with his parent/agency agreement by completing parenting classes and sporadically attending visits with his daughter, he did not comply consistently. He did not regularly meet with his caseworker and she had no idea that he had completed parenting classes until respondent-appellant's counsel provided proof at the permanency planning hearing. Although respondent-appellant had health problems during the spring, his compliance did not improve after the permanency planning hearing when he testified that his health had improved.

Respondent-appellant still did not meet with his caseworker regularly and therefore could not visit his daughter. Respondent-appellant's lack of compliance during the two-month period between the permanency planning hearing and the termination trial showed that he would not be able to provide proper care and custody for his daughter within a reasonable time. We also find that the trial court did not clearly err in its best interests determination.

Because only one statutory ground for termination need be established by clear and convincing evidence, we decline to address the other statutory grounds for termination. MCL 712A.19b(3); *Trejo, supra* at 351.

Affirmed.

/s/ William B. Murphy  
/s/ Helene N. White  
/s/ Michael R. Smolenski